

**Docket No.:** T09-0138  
Supp.  
**Bench Date:** 07/09/2014  
**Deadline:** N/A

**M E M O R A N D U M**

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**TO:** The Commission

**FROM:** Timothy E. Duggan, Administrative Law Judge

**DATE:** June 19, 2014

**SUBJECT:** Illinois Central Railroad Company, Sigel Township, the Shelby County Highway Department and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the South 4<sup>th</sup> Street/300N highway-rail grade crossing of the Illinois Central Railroad Company's track near Sigel, Shelby County, Illinois, designated as crossing AAR/DOT #289 167M, railroad milepost 188.80-M.

**RECOMMENDATION:** Enter Supplemental Order authorizing additional GCPF assistance.

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On August 5, 2013, Illinois Central filed a Petition for a Supplemental Order requesting \$15,974.97 in additional GCPF assistance, for a final total GCPF obligation of \$181,322.97. The additional amount is to cover the amount of reimbursements it would be allowed to recover under a subsequently revised additive rate formula. A prior Supplemental Order granted an extension of time to complete the project.

The original Order was entered on January 6, 2010. The Order required IC to install new automatic flashing light signals and gates controlled by constant warning time circuitry at a crossing near Sigel, Shelby County, Illinois. The Order allocated cost percentages among the parties, including GCPF assistance, which was capped at \$165,348.00, but any installation costs above the total estimated cost of \$174,050.00 would be eligible for GCPF assistance in the same percentages subject to approval by the Commission.

Hearing was held on January 15, 2014. IC previously was reimbursed for costs totaling \$165,348.00, which covered the work required by the original Order. Subsequently, IC received notification from the FHWA and IDOT that IC would be allowed to increase their additive rates for work performed on or after January 1, 2010. The additional amount the Company seeks in this matter is \$15,974.97 above that previously reimbursed.

Staff, IDOT and the City each have no objection. Neither Sigel Township nor the Shelby County Highway Department filed any response or participated in the hearing. A Proposed Order was issued to all Parties and Staff. Staff filed an exception requesting a clarification that the IC request was not for a re-obligation of previously authorized GCPF

assistance, but was solely for an additional authorization of assistance. IC concurred. The clarification was made. No other exceptions were filed.

I recommend entry of the attached Order approving the additional GCPF assistance.